

Sweigert v. Goodman, USDC for the SDNY

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2018 NOV 16 AM 10:16D. George Sweigert, c/o
P.O. Box 152
Mesa, AZ 85211

November 11, 2018

Jason Goodman, CEO
Multimedia Systems Designs, Inc.
252 7th Avenue, APT #6S
New York, NY 10001**SUBJECT: Litigation in the U.S.D.C. for the S.D.N.Y. (Foley Square)**
CASE #: 1:18-cv-08653-VEC, Judge Valerie E. Caproni

Dear Sir,

1. As a preliminary matter it is noted that you have filed your fourth (4th) pleading **without** the necessary verification under oath as required by **Local Rule 7.1**, as shown below.

11/07/2018	<u>59</u>	DEFENDANT/COUNTERCLAIMANT'S SUPPLEMENT TO MOTION FOR RULING TO SHOW CAUSE FOR DEFENDANT'S CONDUCT OF PROVIDING FALSE ADDRESS & PERSISTENT EFFORTS TO AVOID SERVICE; re: to 49 MOTION FOR RULING TO SHOW CAUSE FOR DEFENDANT'S CONDUCT OF PROVIDING FALSE ADDRESS & PERSISTENT EFFORTS TO AVOID SERVICE.. Document filed by Jason Goodman.(sc) (Entered: 11/08/2018)
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2. You have been warned on several occasions that such pleadings (lacking a 7.1 verification) can be treated as a legal nullity pursuant to the laws promulgated by the New York Legislature. Again, I will assume that docket no. 59 pleading (see above) is a legal nullity of no consequence and the latest instantiation of your continued failure to follow Local Rule 7.1.

3. The subject matter of your legally moot pleading (see above) does raise the issue of your myriad of purported New York chartered corporations and D/B/As that you claim to operate as private businesses. As you are well aware, the Second Amended Complaint names these purported entities as defendants to this litigation. See docket no. 56 referenced below.

11/01/2018	<u>56</u>	MEMORANDUM OF POINTS & AUTHORITIES IN SUPPORT OF PLAINTIFF'S AMENDED MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT PER FRCP 15(A); re: <u>5</u> Amended Complaint. Document filed by D George Sweigert. (Attachments: # <u>1</u> Proposed Second Amended Complaint)(sc) (Entered: 11/05/2018)
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4. Depicted below is your registration of the trademark of “Crowdsource The Truth” with the U.S. Patent and Trademark Office (USPTO). It is noted that in this application an address is assigned to Multimedia System Design, Inc. (MDSI). The address listed for MDSI is also your apartment to which this letter is address.

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	87752970	5544901	CROWDSOURCE THE TRUTH	TSDR	LIVE

Word Mark	CROWDSOURCE THE TRUTH
Goods and Services	IC 041. US 100 101 107. G & S: Providing on-line videos featuring news in the nature of current event reporting, not downloadable.
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	87752970
Filing Date	January 12, 2018
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	June 5, 2018
Registration Number	5544901
Registration Date	August 21, 2018
Owner	(REGISTRANT) Multimedia System Design, Inc CORPORATION NEW YORK 6s 252 7th Avenue New York NEW YORK 10001
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CROWDSOURCE" APART FROM THE MARK AS SHOWN
Type of Mark	SERVICE MARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE



5. It will be assumed that in your duties as “Chief Executive Officer” (CEO) of MDSI you will be the cognizably designated individual to receive service and court documents pursuant to N.Y. Civil Practice Laws and Rules (CPLR) § 311 “Personal service upon a corporation or governmental subdivision”. If this is not the case, please inform the undersigned and the Court as to the proper point of service for legal documents concerning “MDSI”. Otherwise, the Secretary of State will be so advised.

6. As a courtesy to you, the N.Y. State Department of State (DoS) corporate records for “MDSI” are displayed below. These records do not indicate your apartment as the appropriate address for service.

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Selected Entity Name: MULTIMEDIA SYSTEM DESIGN, INC.

Selected Entity Status Information

Current Entity Name: MULTIMEDIA SYSTEM DESIGN, INC.

DOS ID #: 1830828

Initial DOS Filing Date: JUNE 21, 1994

County: NEW YORK

Jurisdiction: NEW YORK

Entity Type: DOMESTIC BUSINESS CORPORATION

Current Entity Status: ACTIVE

Selected Entity Address Information

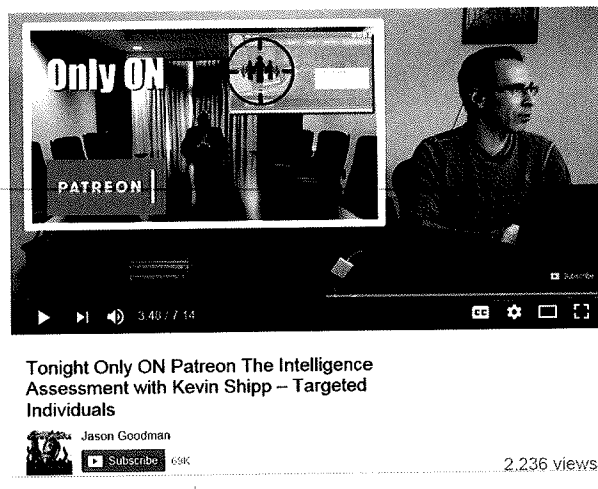
DOS Process (Address to which DOS will mail process if accepted on behalf of the entity)

% RANDY S. NEWMAN, ESQ.
208 EAST 51ST STREET
SUITE 200
NEW YORK, NEW YORK, 10022

Registered Agent

NONE

7. It has been duly noted that you have apparently “scrubbed” or “erased” all information that was contained on your microcomputer laptop on 10/25/2018. Your attention is called to the video podcast you have placed on the Crowdsorce The Truth media empire as show below (<https://www.youtube.com/watch?v=hnqaTubTLlw> , Streamed live on Oct 25, 2018).



8. In this video you make the following comments:

03.47 GOODMAN: I really have gone to town fixing this computer, so a lot of my .. uh .. you know, bookmarks and previous things that were in memory have been wiped out.

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9. As you are well aware, via your acknowledgement of several anti-spoliation evidence preservation e-mail messages, you have been under a duty for about 18 months to safely preserve, protect and archive all electronic media, messages, text and other Electronic Stored Information (ESI). Your admissions that you have “erased” or “scrubbed” everything in your laptop computer’s memory is very troublesome. It should be duly noted that there have been questions raised about anomalies in the “Certificate of Service” you transmitted to the undersigned’s electron mail address on 10/10/2018 that apparently contained malware.

10. In general terms, Fed. R. Civ. Proc. (FRCP) Rule 26 addresses the discoverability of ESI. It is hereby demanded that you prepare an affidavit that describes exactly what actions you took to “clean” or “scrub” your laptop computer on, or around, 10/25/2018. This would include what types of software were used to clean such systems, how ESI erasure was accomplished, back-ups or archived copies that were made, and other tools, techniques and procedures (TT&Ps) used by you to protect the integrity of the ESI on your laptop systems. You are hereby cautioned that such actions to scrub your laptop may be viewed by the Court as the intentional destruction of evidence.

11. Your attention is called to your personal appearance made at the New Jersey Tea Party of Teaneck, New Jersey. This is depicted in the video below (URL: <https://www.youtube.com/watch?v=Lf2At4YCTiY> , Streamed live on Sep 19, 2017).



Tea Party in Teaneck



9,890 views

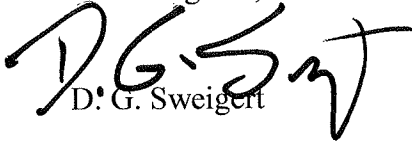
12. In the above cited video production (widely disseminated in a pervasive manner) you spend a considerable amount of time discussing hacking techniques, destruction of evidence, and evidence preservation beginning at time mark 35:00 to 42:00. In fact, you specifically call-out the laptop that was the personal property of “Laurel Everly” that you personally arranged to be delivered to the U.S. Capitol Police, which was later transferred to the defense counsel for “Imran Awan”, a defendant in a back fraud case. Therefore, it appears that you have more than a mere cursory understanding of evidence preservation issues associated with laptops.

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13. Finally, after searching all known databases for New York City, New York County and New York State, I have not found any listing for the D/B/A known as (see below):

21st CENTURY 3D

Warm regards,


D. G. Sweigert



Copy provided:

PRO SE DIVISION, ROOM 200
U.S. District Court
Southern District of New York (Foley Square)
500 Pearl Street
New York, N.Y. 10007-1312

D. GEORGE SWEIGERT, C/O
P.O. BOX 152
MESA, AZ 85211

USM_{P3}
SDNY

PRO SE DIVISION, ROOM #200
Clerk of the Court
U.S. District Court for the SDNY
(FOLEY SQUARE)
500 Pearl Street
New York, New York 10007-1312

F		U.S. POSTAGE \$5.29 FCM LG ENV 95621 Date of sale 11/11/18 06 2SSK 11488361
	USPS FIRST-CLASS MAIL®	
SHIP TO:		4.10 oz
NEW YORK, NY 10007		
USPS CERTIFIED MAIL		
		
9507 1067 0811 8315 0023 76		